

WEATHER REPORT.

SAN FRANCISCO, Jan. 29.—Fair tonight and Wednesday; light NW wind.
Northern California: Fair tonight and Wednesday; light N wind.

Oakland Tribune.

The TRIBUNE is the only paper in this County that can print the Associated Press dispatches. It also gives a full local report.

VOL. LIV

OAKLAND, CALIFORNIA, TUESDAY EVENING, JANUARY 29, 1901

NO. 22

PARIS INVESTIGATION HAS BEEN COMMENCED

Witnesses Appear Before the Committee at Sacramento—Editor Lynch Does Not Put in an Appearance—Runyon on Stand.

(Special to The Tribune)

SACRAMENTO, Jan. 29.—Investigation into the affairs of the Paris Commission was begun this afternoon.

It is being held in Granger's Hall, Tenth and K streets.

A full committee is present and five or six witnesses have arrived. Commissioners Foote and Runyon, Secretary V. W. Gaskill, L. L. H. May, W. E. Dargie, Jr., Rob Ross and others came up on last night's train.

Committeeman Melick, who came up from the South yesterday, reports that he did not subpoena Joseph Lynch of Los Angeles, editor of the Western Graphic, through the columns of which Commissioner Truman has preferred his public charges against other members of the Commission.

Lynch declined to state what he knew of any of the acts of the Commission or to come to Sacramento without a subpoena.

He had a list of questions which he was ready to submit but Melick said he was not looking for questions but for evidence.

He left a subpoena for Lynch with the Sheriff of Los Angeles and the editor will be called if wanted.

Chairman Bliss today talks as if the investigation would not last long.

Speaking of the issuance of subpoenas, he said it is not necessary to send out more now.

"These gentlemen may come here with their reports and vouchers showing that everything is all right," he said. "In their event it may not be necessary to call a lot of witnesses to testify on side issues."

The story is going the rounds that Bliss is very likely to make the investigation very long, but the man repeats all insinuations that he intends to let the matter pass lightly.

He says, "Anybody who thinks I will fall down will be fooled."

"I intend to make this investigation thorough."

Young Rob Ross of Los Angeles is here and it is expected he will testify that he was discharged from the service of the commission and related after four weeks and paid for the whole time.

STEAMER TRUNK ARRIVES.

The investigation began at 2:10 o'clock, Chairman Bliss calling the members to order.

At that time there were present as witnesses Foote, Runyon, Gaskill, W. E. Dargie Jr. and Rob Ross.

A steamer trunk labeled "Paris" and presumed to contain "evidence" in the shape of reports and vouchers, was brought in.

There are also several formidable looking bundles of papers and documents.

The Chair directed the clerk to read the resolution of the Assembly ordering the investigation and the resolution by Melick authorizing the committee to send for persons and papers.

HUNYON SWORN.

Commissioner Runyon was first sworn.

"Bliss questioned him as to when and how the Commission had been organized and then as to how the salaries were fixed."

"Were you familiar with exposition work when you were appointed on the commission?" was asked.

"I had attended two expositions."

"In what capacity?"

"As a visitor."

"Was it not the intention that the State should own its exhibits?"

"I think not."

PARTIAL REPORT.

Runyon was then asked if the Commission was ready with its report.

He answered that it had a partial report to date. The vouchers would

show how many attaches were employed.

PAYING FOR MEDALS.

To other questions Runyon replied that the French government would not permit a collective exhibit. Attaches were employed as they were required.

It was customary for exhibitors to pay for medals.

The awards were decided by the jury of nations.

ELECTION OF SECRETARY.

Committeeman Treadwell asked about the election of a secretary.

Runyon said that the Commission had met after their appointment and elected Varney W. Gaskill as secretary at a salary of \$250 a month.

Treadwell asked as to various succeeding steps by the commission and brought witness to the hiring of headquarters.

The Commission engaged an office, two reception rooms, two exhibition rooms and one or two other rooms.

SECRETARY'S RESIDENCE.

The secretary lived back of the headquarters.

The Commission paid \$2,500 for the premises.

Runyon testified that all the Commissioners remained in Paris all the time during which the Exposition was open.

RUNYON'S RETURN.

Witness on being re-questioned said he had returned to California in August.

No report had been made to the Controller because some of the goods or exhibits that had been shipped back to this country had not arrived.

The Commission had intended to make its report earlier, but the delay of the goods had prevented.

COLLECTIVE EXHIBIT.

Runyon then told of the Commission's efforts to secure a building for a collective exhibit.

He had gone to see Commissioner-General Peck about this, but it was found that this could not be had.

The United States was given a certain space, and California was given a part of that.

The various departments of California's exhibit had to be placed in the departments of the United States.

It was absolutely impossible to have a collective exhibit.

GASKILL'S SALARY RAISED.

Runyon testified that Gaskill's salary had been changed from \$250 a month to \$300 in August because of the high prices of everything in Paris.

MANY COMPLIMENTS.

Runyon was then permitted to make a statement in his own way of what the Commission had done.

He said a great many compliments had been paid the California exhibit and the Commission and Commissioner-General Peck had said that it was the best exhibit there from America, both as to its installation and character.

Gaskill was at his post of duty all the time witness was in Paris except perhaps a couple of days.

Committeeman Stewart asked if in the exhibit loaned the Commission by one Davidson, a sample of quartz, had been returned.

Runyon replied that it had been returned in as good condition as it was when it was loaned, as far as he knew.

AS TO THE MEDALS.

Treadwell questioned Runyon as to medals, and when Runyon was unable to answer a question Foote interposed that he could tell all about the medals which came to the stand.

Treadwell said: "We will hear one at a time."

FOOTE HAS HIS SAY.

Foote retorted, "I say I will tell about that. I have a right to say that I have been attacked and I have a right to be heard."

Runyon said that the accounts of the Commission would show just what every medal cost and what was received for it.

SALE OF EXHIBITS.

Asked why he had come away in Au-

gust he said he had important business in this country; that he had put in nearly eight months at the work.

He had come home intending to return to the Exposition if his services were needed.

He understood that Commissioner Foote had taken a trip and that Mr. Gaskill had gone on a trip after the close of the Exposition.

Stewart asked if the Commission had sold any oranges.

He said some of the exhibits were to be sold and some turned in.

MELICK'S QUESTION.

Melick asked the witness as to the failure to have a collective exhibit and brought out the fact that Runyon had acted on the advice of experienced men in making the effort to secure it.

He had gone to New York and had a meeting with a number of experienced exposition men and had found that it would not be possible to secure a collective exhibit.

GASKILL'S BOND.

Melick brought out the fact that Gaskill had given a bond in \$5,000.

Gaskill's powers were to carry on the business of the Commission with the approval of the Commission.

THE HEADQUARTERS.

Runyon described the headquarters of the Commission and gave a long list of the articles on exhibition there.

The Commission's rooms were full of California produce, paintings and photographs.

The furnishings of all the rooms were typical of California.

People were shown through the rooms and invited to examine everything there.

INVITED TO TAKE WINE.

If they were interested in wines they were invited to take some of the California wine.

ALAMEDA WINS.

Associated Press Dispatches by The Tribune's Special Leased Wire. SACRAMENTO, Jan. 29.—The Alameda county delegation has won its fight for a representation of seven Assemblymen and four Senators under the new scheme of apportionment, and the cutter bill will be amended by the Senate Committee on sections to a sufficient extent to make the change entailed Senator Cutler, who drew the bill and is chairman of the committee, said yesterday that it had been decided to give Alameda's additional Assemblyman. The new plan involves the addition of San Luis Obispo county, to the Thirty-first Senatorial district, the throwing of Tulare and Kings into the Thirty-second, with Kern, the addition of Mono to the Tenth district and several minor changes in the northern and mountain counties. The plan makes no change in San Francisco, which retains precisely the same representation as before. There will be opposition to it, but the Alameda county delegation claims that more than enough votes to pass it have been pledged.

THE REVISIONS ARE BEING HELD IN GRANGER HALL, which has been hired for the purpose and fitted up for the convenience of the committee, spectators and newspaper men.

Nothing has been left out that will lessen the spectacular effect of the affair.

AN EXPRESSMAN STAGGERED.

After a long wait two expressmen staggered into the room with a large steamer trunk and package. These, it was whispered about, contained the much discussed vouchers.

EXAMINATION COMMENCED.

The examination was commenced by the clerk reading the Assembly resolution authorizing the investigation, together with Melick's resolution giving the committee power to send for persons and papers and to administer oaths.

RUNYON ON STAND.

Commissioner Runyon, the first witness called, stated that, under the act creating the Commission, Messrs.

Foote, Runyon and Truman were appointed Commissioners. Up to that time he had never had experience with commission work, although he had attended the former Paris Exposition.

No report other than that sent to the Governor had been made.

A fuller report with the vouchers would be turned over to the committee.

The United States Government, Runyon said, had not defrayed the expense of forwarding and returning the California exhibit. As to the literature distributed, the report of the Commission would show that attaches had been selected on the basis of their ability.

SALARY OF GASKILL.

The salary of the secretary, Varney W. Gaskill, had been fixed at \$250 a month.

Headquarters had been opened in San Francisco.

The vouchers would show the expense of these headquarters.

PARIS HEADQUARTERS.

Headquarters had been opened in Paris about two miles from the Exposition grounds.

The headquarters were maintained at a cost of about \$200 for the time they were kept up.

The Commissioners and their Secretary did not leave Paris after witness had arrived there.

The report of the Commission has not yet been made because the Commissioners have not received all the data that must be used in compiling it.

NO SPECIAL BUILDING.

The California Commission had tried to get a special building, but found that this could not be done, as it was an international and not an interstate Exposition.

By the rules of the Exposition, the California exhibit had to be divided and placed in the several buildings devoted to the several exhibits.

INCREASE OF SALARY.

About August, Gaskill's salary was raised from \$250 to \$300 a month. This was done on account of the high prices charged in Paris during the Exposition.

After the members of the committee had concluded their questioning, Runyon made a statement in which he said the California exhibit had received many flattering notices on account of its extent, installation and headquarters.

Commissioner-General Peck had stated that it was the best State exhibit there.

The medals had been awarded by the jurors of the nations. The California jurors were named by the California Commissioners.

The State of California did not pay for the medals.

They were paid for by the individuals receiving them.

The attaches of the Commission, Runyon and Gaskill received the money for the medals and attended to the purchase of them.

W. W. Foote interrupted that he knew all about this feature and would testify about it.

FOOTE'S REMARK.

He was told by the committee to keep still and let time would come.

Mr. Foote subjoined with the remark that he had been attacked and proposed to have his say.

Under cross-examination by Melick, witness said that the State could have had a separate building and it had declined to enter the competition for awards.

WINES TO GETTERS.

On two occasions to the witness' knowledge, wines other than California, were given guests.

At 3:30 p. m. Runyon was still on the stand.

WAR ON THE BIG FIGHT.

Injunction Suit Filed Against Jeffries and Ruhl.

Affair Is Alleged to Be a Public Nuisance.

Associated Press Dispatches by The Tribune's Special Leased Wire. CINCINNATI, Jan. 29.—The suit to enjoin the proposed Jeffries-Ruhl contest was filed in the Court of Common Pleas today. The application for an injunction was not made at that time. Judge Hollister, who is sitting in the Common Pleas Room No. 1, where the hearing will be had, will be asked several days later to issue an injunction. In the interim notice will be served on the defendants. They are members of the original Sengstacke Board of Trustees, against whom judgment has been rendered in the matter; also the members of the Sengstacke Athletic Association Company, which the attorneys describe as a paper organization, with a capital of \$200,000. Messrs. Jeffries and Ruhl and the members of the Zoological Corporation, which holds the site of the Sengstacke Hall, are also made defendants.

The legal ground upon which this action is taken is that the proposed affair would be in every sense a public nuisance. The petition covers only five pages of typewritten matter and the principal averments are described in a quotation from an Ohio Supreme Court statement regarding prize fights:

"The Supreme Court is on record in the books as having stated that prize fights are exhibitions of brutality; that they are contests dangerous to life as well as demoralizing and pernicious in effect on the well-being and good order of society."

In addition to this statement from the highest tribunal in the State, the attorneys aver that the contest in question would lead to the gathering of thousands and crowds of idle and vicious people, whose presence would be a menace to life, good order, property, and the welfare of the community during their stay in the city.

The attorneys who are pressing this case are Gustavus H. Wald, Leonard Maxwell, Jr., Hon. J. W. Heydon, W. K. Kirtland, J. H. Warrington and ex-United States Attorney General Judson C. Harmon. The exact time for a hearing for an injunction has not been set, but the court will be called to fix an early day as possible. Meanwhile counsel for the defendants will prepare to answer and then will occur a legal contest between giants of the bar.

BILLS PASSED BY THE ASSEMBLY.

Associated Press Dispatches by The Tribune's Special Leased Wire. SACRAMENTO, Jan. 29.—The following bills were passed by the Assembly today: A. B. 157—Amending section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine.

A. B. 158—To add a new section of the Political Code, to be known as section 3655 A, providing for the filing and appraisal of property exempt from taxation and reporting the same to the Legislature.

A. B. 159—To amend an act entitled "an act requiring the recording of maps of cities, towns, additions to cities or towns, subdivisions of lands into small lots or tracts for the purpose of sale and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, additions to cities, towns, subdivisions or additions thereto, before such maps are filed and recorded."

A. B. 160—Making an appropriation to pay expenses incurred by the commission for the revision of the law.

A. B. 161—Permitting municipalities to issue bonds for a period of less than forty years.

Treadwell gave notice that on the next legislative day he would give notice to reconsider the vote by which this bill was passed.

A. B. 162—Amending section 1, amending the act of 1885 regulating the rate and distribution of water.

Johnson introduced the following resolution relative to the death of the mother of Assemblyman Suro, which was unanimously adopted by a rising vote:

"Whereas, We have learned that our friend and fellow member, Hon. Oscar Suro, has sustained an irreparable loss by the removal from this life to the land beyond the grave of his dearly beloved mother; therefore be it

"Resolved, That the heartfelt sympathy of every member of the Assembly is hereby extended to Hon. Oscar Suro in this, his hour of bereavement."

Adjournment was taken until 10:30 a. m. tomorrow.

Step In

and have your glasses straightened and tightened. No charge. It may save you a headache.

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KING'S DEBT TO KAISER.

The Emperor Came to Osborne to Collect an Old Bill.

Remarkable Story Is Printed By Berlin Paper.

Associated Press Dispatches by The Tribune's Special Leased Wire. BERLIN, Jan. 29.—The Vorwarts (Socialist organ) today printed a remarkable story to the effect that Emperor William's sudden departure for England was not only due to a desire to bid farewell to his dying grandmother, but still more to the Prince of Wales' urgent wish to settle a private debt affair to the Emperor before ascending the throne.

This debt, the Vorwarts asserts, amounted to 2,000,000 marks, which Emperor Frederick, immediately after beginning his reign, loaned the Prince of Wales in order to place the latter in a position to pay accumulated debts to the amount of 2,000,000 marks.

The loaned money, it was further asserted, was part of the savings, amounting to 5,000,000 marks, left by Emperor William I.

Count von Stolberg, then Minister of Imperial Household, the Vorwarts also says, vainly opposed the paying out of the 2,000,000 marks and thereupon resigned.

In official circles here the Vorwarts story is characterized as a gigantic hoax.

BILLS PASSED BY THE SENATE.

Associated Press Dispatches by The Tribune's Special Leased Wire. SACRAMENTO, Cal., Jan. 29.—The Senate this morning passed the following bills:

S. B. 113—Relative to the meeting place of High School Boards within municipal corporations.

S. B. 114—Appropriating \$200 for improvement and repairs on the laundry at the Preston School of Industry.

S. B. 115—Appropriating \$4,900 to pay the claims of certain employees in the State Printing Office.

S. B. 116—To provide for the appointment of State Debris Commissioners.

S. B. 117—Appropriating \$2,000 to pay for work in the State Printing Office for the fifty-first fiscal year.

S. B. 118—Amending Section 216 of the Civil Code relating to rates of toll.

The bill to provide for the appointment of the State Debris Commissioners, fixing his compensation at \$500 per month and providing for the resumption of work on the impounding dams was debated at considerable length.

Senator Howell opposed it, on the ground that it was not shown that the work would be a success.

Senators Cutler, Tyrrell, Nevada, Devlin, Lardner and Shortridge favored it. The bill was finally passed: Ayes, 28; no, 1.

SACRAMENTO, Jan. 29.—The following bills were passed by the Senate today: S. B. 114—Providing for the organization and government of permanent road divisions and defining the manner in which funds may be raised for road improvement.

S. B. 115—Adding a new section to the Penal Code relating to the stealing of electric current.

S. B. 116—Appropriating \$2,500 for the erection of monuments at the graves of D. G. Waite, Levi Haddell, Dana Perkins, Thomas A. Sprincker and Barnabas Collins in the State burial plot was defeated and Senator Devlin gave notice to reconsider.

A petition was received from the Manufacturers' and Producers' Association of California asking that the Legislature "take such measures as may be required for the purpose of building a sea wall along the north end of the bay of San Francisco."

Senators Howell and Brown in the Assembly, providing that this work shall be done. Adjournment was taken until 10 a. m. tomorrow.

NORMAL SCHOOL BILLS.

Introduced in Assembly in Interests of San Jose.

Committee to Confer With Senate Named By Speaker.

Associated Press Dispatches by The Tribune's Special Leased Wire. SACRAMENTO, Jan. 29.—The much discussed question of adopting a joint rule on free conference occupied the attention of the Assembly at the opening of the session. The opinion was expressed that no more committees should be appointed to consult with the Senate regarding the matter. The Speaker was finally authorized to appoint another conference committee, however.

In the midst of the debate Johnson was asked what the effect of no agreement with the Senate would be. He replied that in such event the regularly recognized parliamentary laws would govern, which would permit unlimited free conference. As this is what the Assembly desires, it was pointed out that nothing would be lost by a failure to agree with the Senate.

Johnson, Dunlap and Cowan were appointed to confer with the Senate.

Anerson of Santa Clara introduced two bills providing for the support of the State Normal School at San Jose. One of these appropriates \$40,000 for the purchase of supplies for the school and the other appropriates \$25,000 for the building and furnishing of a library.

It is introduced a measure providing for the registering of all craft within the State which are not required to register under the provisions of the Federal statutes.

The Assembly passed the following bills: A. B. 63—Appropriating \$2,000 for the propagation of steelhead trout in Humboldt county.

A. B. 64—Blacking the tamping with and dragging of cattle, horses and dogs, except for medical purposes, a felony.

A. B. 65—Providing for the payment by the State of costs and expenses incurred by counties in which penal and reformatory institutions are located, on account of inmates and trials arising from crimes committed in such institutions.

A. B. 66—Granting Stanford University corporate powers and privileges.

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BAD BLUNDERS OF AN EXPERT.

Van Bokkelen a Swift Witness for the City.

This morning A. A. Moore opened the ball in the water case by moving to strike out certain portions of the testimony of Witness Van Bokkelen, especially that portion relating to the check meters, on the ground of irrelevancy. It was so ordered. Van Bokkelen had made an elaborate calculation, or somebody had made one for him, to demonstrate the amount the water company might have collected had the meter rate been charged. The irrelevancy consisted of the fact that only a first rate was charged, because the customers had availed themselves of the privilege provided for in the ordinance of choosing which rate they will pay. Thus the corporation was acquitted of the heinous offense of collecting less than the law allowed. The endeavor to convict it of this crime was due to a desire to prove that the revenue allowed the company under the enforced ordinance could be larger than the company claimed.

AN APPROXIMATE EXPERT. Van Bokkelen said his percentage calculations were approximations, but insisted that they were very nearly correct. Moore moved to strike out because of confessed inexactitude. "This witness has figured out percentages of loss even to the thousandth part of a cent, and now he admits that it is a mere approximation. He never figured out the number of houses in each classification, therefore his calculation lacks the essential element of accuracy." The court said the testimony might remain in the record for what it was worth. Its character would determine its value as evidence.

In response to Moore, Van Bokkelen said he had figured on water rates before, but declined to state where, because it necessitated exposing the business of his employers. Hayne then moved to strike out the portion of the testimony which related to the cost of the various kinds of structural iron. The matter was finally compromised by the memorandum being submitted to Professor Marx, who reported to Hayne that he found nothing therein which would advantage the city's case. However, the water company's attorneys did not press the city's witness to expose his private business as Hayne pressed Engineer Schuyler. Hayne pressed Engineer Schuyler in this difference in the testimony of witnesses has been noticeable through out the trial. Hayne has missed no opportunity to be rude and sarcastic, and often grossly insulting to opposing witnesses on the stand. On several occasions he has broken out into vituperative denunciations of them while they were testifying, under pretense of arguing motions or objections. Twice he went to such lengths that he was rebuked by the court.

The corporation's lawyers have been far more courteous and considerate to the city's witnesses.

Van Bokkelen said he had taken the "theorem of error" into consideration in making his calculations.

"What is the theorem of error?"

"It is a term well known in mathematics. Witness went on to say that it in-

"According to my understanding there is not."

"Do you know there is not?"

"No."

"Do you understand that there is no time in any cement?"

"I have always understood that they did not work together."

"Do you know what makes it get hard instead of remaining soft like other kinds of earth or soil?"

"No."

Witness never had anything to do with power drills and didn't believe in no "slush contrivances." He understood that those who had tried power drills had thrown them out and gone back to hand drilling.

"Don't you know that every mine that can afford to buy them uses power drills?"

"I never was in no mines."

Mr. Higgins said he began life in Canada. Afterward he went to Australia and entered California by the back door. His natural experience was while working for the Spring Valley Water Company.

Higgins said he did not think there was any difference between the cost of labor in material now and the cost of labor in material then. He said he had seen a man in waiting to buy bricks at a bargain. He had expected brick to go down, but instead they went up \$2 per thousand.

"You did not call the turn, then, did you?"

"Not they if they ever time when they got a chance. The only way a contractor can do it is to try and kick them."

"That is what the city is trying to do with you, Mr. Higgins."

"Well do it if we can. But you never had no fair witness on the stand than me."

"But you think the city ought to kick the water company?"

"That's what I am getting paid for. I haven't got my money yet. If I don't get it somebody will hear from it."

"That's all right, Mr. Higgins, you can go," said the urban McCutcheon.

Then the ancient Van Bokkelen got into trouble with his averages. It seems that he had adopted factors of his own to reach certain results. A. A. Moore took him in hand and made his system of averages look like a crazy quilt. During the process the old gentleman got quite agitated and "sussed" the lawyers like everything.

When his mistakes were pointed out to him he snappily told Moore that he talked so much to him while he was figuring that he did not know what he was doing.

"Do you mean to say that anybody interrupted you while you were figuring?"

"Yes, you did."

"At one time you stated that the average cut, eliminating the two classes of which the smallest cut was, was 23.5 per cent. Subsequently you volunteered the statement that it was 23.75 per cent. I asked you to figure it out carefully. You did so and said 23.75 per cent was the correct result. Now I ask you to figure it again carefully and tell me if the percentage is not 23.5 per cent."

"Figure it out yourself."

"But you figure it out for me."

"You had better do it."

"I prefer you would do it."

"Mr. Van Bokkelen, I think Counsel has a right to ask you to figure it out for him," said Hayne. The testy witness did so and announced that 23.1 was the correct result. Thus he had made four different results out of him. Time and again he went back on his own testimony with an amazing hardness and depicted the lawyers with an extraordinary and repeatedly moved the court room to laughter.

The case went over till 10 o'clock tomorrow morning.

YESTERDAY'S PROCEEDINGS.

When THE TRIBUNE went to press yesterday Witness Van Bokkelen was still on the stand.

AN EXPERT IN TROUBLE.

There was heaps of trouble on the old man's mind when he came to the cross-examination. It took him a long time to get on his feet and the Southern Pacific Company should pay if charged the full meter rates under the enjoined ordinance, and then he did not get a correct result.

"Mr. Van Bokkelen, did you make the calculations you have just testified to?" asked Moore.

"They are in my handwriting. I must have made them myself."

"But did you make the calculations yourself or take the result from somebody else?"

"I made them myself," replied the witness after a long pause.

"Did you make the calculations on which those calculations were based?"

"I did."

"What books did you examine?"

"I examined the meter books and the rate books."

"Did you examine all the entries in those books?"

Witness hesitated and finally said he examined the meter books relating to these meters and the charges, and about fifty other pages sufficiently to verify what I have testified to."

"Did Crandall make a thorough examination?"

"He did, and reported the results to me."

"From what he told you, you examined these particular pages to verify certain conclusions?"

"I examined them to enable me to testify to what they showed."

"But it was what he told you that caused you to examine these particular pages?"

"Yes."

"You wanted to verify what he told you?"

"Yes."

"You did not care to verify what was in the other pages of the books?"

"I ran them over."

"But you made no critical examination of them?"

"No."

"You just thumbed them over?"

"You may say so."

TANGLED IN HIS METERS.

"Have you examined more than one in fifty of the meter records?"

"There are about 500 meters altogether. I have testified to over 50 here, and examined at least 50 more. It is safe to say that I examined the records of over 100 meters."

"Are not most of the meters you testified to check meters?"

"No. I examined exactly 51 meters besides those I testified over."

It transpired that 12 of the 21 meters he testified to were check meters, and his total more than fifty percent out of the way. He admitted that a list of the meters had been given him by Mr. Crandall. Nevertheless he valiantly swore that he testified to the results of his own examination. But his own admissions showed that he only sought something that would apparently tell against the water company. A more cheerful witness seldom appeared in court.

It appeared that he had exaggerated the percentage of reductions on the various classifications and in this way figured out the general reduction of the 1900 ordinance to be 20.52-100 percent. Moore vigorously attacked this method of computation, claiming that the true average reduction was about 27 per cent. He showed that the figures were wrong in the classification containing the largest number of houses. The reduction on the

average two-story house of seven or eight rooms is 27 per cent, according to the witness's own figures.

"Does not that style of house constitute the largest class of dwellings in Oakland?" asked Mr. Moore.

"I don't know."

SINCHING THE POOL.

The highest cut was made on one-story cottages containing from 16 to 40 square feet of floor space. In other words, the well-to-do were given the largest per centage of reduction, while the very poorest class of cottages were given the lowest. The next lowest reduction is on four-story buildings, of which there are very few in the city.

The case went over till this morning.

KING'S SPEECH.

Text of His Address to Crown Prince and Kaiser.

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, Jan. 29.—The following is the text of the address of King Edward VII to the Crown Prince of Germany, Frederick William, on the occasion of His Majesty's presenting the insignia of the Order of the Garter to the Crown Prince in the Council Chamber in Osborne House yesterday morning.

"Sir, in conferring upon Your Imperial and Royal Highness the ancient and most noble Order of the Garter, which was founded by my ancestor (Edward III) many centuries ago, I invest you with the Order of Knighthood, not only as the heir to the throne of an empire, but also as my dear relative. It was the wish of my beloved mother, the Queen, to bestow it on you as a mark of her favor, and I am only carrying out her wishes and am glad to do so to one of my illustrious relatives."

"To the German Emperor, to whom I wish to express my sincere thanks for having assisted in attending and watching over the Queen and remaining with her until her last moment, I desire to express the hope that my action in conferring on you this ancient Order may at further cement and strengthen the feeling which exists between the two great countries and that we may go forward, hand in hand, with the high object of insuring the peace and promoting the advance of civilization of the world."

QUEEN'S FUNERAL

Royalty Will Be Seen in the Procession.

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, Jan. 29.—This morning there was a rehearsal along the route of the funeral procession. The eight Hanoverian horses which will draw the gun carriage took a heavily laden brake, estimated to be of the weight of the gun carriage and coffin, over the route. Numerous carriages followed and a number of mounted men representing the foreign princes and others who will ride in the procession.

It has been arranged that the King's boys will line the route from the Long Walk gates to Windsor Castle, while the military knights of Windsor will be on duty in the chapel during the funeral services.

It is now understood the funeral in London will be approximately as follows: The sovereign's cortege of 12 Life Guards, the muffled bands of regiments of Foot Guards, 10th Hussars, Earl Roberts and the headquarters staff, an army gun carriage with the body, the King supported by the German Emperor, the King of Portugal, and the other reigning sovereigns in the order of precedence, the Duke of Connaught and York, the Duchess and aldermen in attendance on royal personages, Queen Alexandra, the Duchess of Saxe-Coburg and Gotha and other royal princesses, in four carriages, deeply draped and at the rear of the procession, another sovereign's cortege of 10 Life Guards.

It is estimated that thirty royal princes will participate in the procession. As the funeral will be of military character, there probably will be no pall bearers, though possibly at Windsor certain generals will act in this capacity while the coffin is being carried up the nave of St. George's Chapel.

Associated Press Dispatches by The Tribune's Special Leased Wire. WASHINGTON, Jan. 29.—The War Department has received the following telegram from Brigadier-General M. H. Lee, commanding the Department of the Missouri, in regard to the Indian trouble:

"OMAHA, Jan. 23.—Lieutenant Dixon, commanding Troop A, Eighth Cavalry, Henrietta, I. T., reports no violence by Indians and no excitement at Holdenville and Eufaula; people not leaving their homes; no anywhere without fear. Chitto Harjo (Crazy Snake) was arrested yesterday without difficulty by Deputy Johnson and now held at Henrietta. Dixon instructed to give necessary protection to prevent destruction of railways or bridges. So far no acts of violence verified."

"LEE, Brigadier-General."

WILLIAM B. HUBBARD TO BE MARRIED.

Last Saturday night, at a dinner given at the home of Mr. and Mrs. Samuel Hubbard, 123 Oak street, there was a formal announcement of the engagement to marry of William B. Hubbard, the eldest son of the couple mentioned, and Miss M. Peck, a charming young lady of Milwaukee, Wis. The date of the prospective marriage has not yet been decided.

Hubbard is one of the best known young men in this city, and has, for a number of years, held an important position in connection with the Sunset Telephone and Telegraph Company, in which his father owns quite a liberal amount of stock.

COAST SLEUTHS AFTER PAT CROWE.

Kidnaper May Be Here Waiting to Board a Steamer.

SAN FRANCISCO, Jan. 29.—With an aggregate reward of \$35,000 in view, the police departments of the various cities on the Pacific Coast are preparing to scour this section of the country for Patrick Crowe, and his three accomplices, who kidnaped E. A. Cudahy Jr. in Omaha and collected \$25,000 ransom from the young man's wealthy father.

There is a possibility, it is thought, that Crowe and his accomplices are in the West, and photographs and minute descriptions have been spread broadcast throughout the Pacific States in an effort to run the criminals to earth before they can quietly slip aboard some steamer and make off for foreign lands.

A SOP TO THE DUTCH.

Associated Press Dispatches by The Tribune's Special Leased Wire. CAPE TOWN, Jan. 29.—J. L. Solomon, the Attorney-General of the late Schreiner ministry, has been appointed legal adviser to the Transvaal Colony administration. His appointment is commended as demonstrating the desire of the imperial government to conciliate the Dutch.

BRITISH CRUISER AT SAN DIEGO.

SAN DIEGO, Jan. 29.—The second-class British cruiser Amphion, Captain John Casement, arrived here this morning on her way north from her southern cruise. She had the honor of firing the first salute to Rear Admiral Casey, who took command of the Pacific squadron yesterday.

GERMAN BANK IN LIQUIDATION.

BERLIN, Jan. 29.—At a meeting of the shareholders of the Deutsche Grunwald Bank today it was voted that the institution go into liquidation.

GOV. PINGREE'S CASE.

Associated Press Dispatches by The Tribune's Special Leased Wire. LANSING, Mich., Jan. 29.—In a unanimous opinion handed down today the Supreme Court of Michigan declared the constitutionality of the law taxing inheritance.

An order was also granted by the Court, in answer to Former Governor Pingree's application, directing the Michigan County Circuit Court to show cause why a writ should not issue prohibiting it from proceeding with the contempt case now pending against former Governor Pingree.

A Free Lecture.

A. O. Tate will lecture in Fraternal Hall, 155 Washington street, before the Oakland Local Social Democratic Party, on Wednesday evening, January 30th, at 8 P. M. Subject: "The Meaning of the Problem of the Labor Front Society." The lecture will be free.

only three days more
the "10% off on our entire stock"
sale ends Thursday.

rugs
50 real Oriental rugs—
one or two will add greatly
to the appearance and comfort
of your home—reduced
from \$10.00-\$15.00 to
\$7.50

Taft & Pennoyer
INCORPORATED
1161-1173 Broadway. 467-469 Fourteenth Street

MYSTERY OF A STABBING AFFRAY.

William Brown Nearly Killed During a Street Fight.

The victim of a mysterious cutting affray was treated at the Receiving Hospital last night and nearly died to death on the operating table before the physicians could tie up the ends of a number of severed arteries in his neck and face.

He gave the name of William Brown, and said his residence was at 75 Third street. No such party lives there and before "Brown" left the hospital he said his name was Smith.

According to his story he was cut by some flying glass during the progress of a street brawl at the corner of seventh and Washington streets. From the trail of blood heading toward the hospital it is evident the man came from the direction of the water front, and for some reason desired to conceal his identity and that of his assailant.

He was horribly cut about the face and neck and a large piece of flesh was gouged out of his left cheek. The wounds were all deep and evidently inflicted with a razor or some other equally sharp instrument. His clothes were saturated with blood and when the temporary bandages were removed from his face at the hospital the crimson fluid oozed over the walls of the operating room from the several arteries in a gushing rush in his throat. Ten stitches were taken in one of his wounds.

He was removed from the hospital by some friends who refused to give their names or discuss the cause of the cutting. They also were bewildered with blood.

The police were notified of the affair and are making an investigation.

SENATE PASSES THE INDIAN BILL.

Associated Press Dispatches by The Tribune's Special Leased Wire. WASHINGTON, Jan. 29.—In the Senate today the credentials of Senator-elect J. H. Burton of Kansas, and of Senator-elect R. J. Gamble of South Dakota, were presented. Mr. Burton's by his predecessor, Mr. Baker, and Mr. Gamble's by Mr. Kyle.

At the conclusion of routine business consideration of the Indian appropriation bill was resumed.

At 2 o'clock the bill was called up, but was laid aside temporarily in order that consideration of the Indian appropriation bill might be continued.

The Indian appropriation bill finally was passed.

The bill subsidy bill came up in the Senate this afternoon after the disposal of the Indian appropriation bill, and Mr. Turner of Washington took the floor in opposition to the measure.

Mr. Frye announced that he would refuse to yield further to any other bills, even appropriation bills, under the Senate, by a vote, placed the appropriation bills ahead. With the ship subsidy bill out of the way, Mr. Frye thought there would be no trouble in disposing of the appropriation bills.

Taken to Scene of His Crime.

Associated Press Dispatches by The Tribune's Special Leased Wire. MAYSVILLE, Ky., Jan. 29.—William Gibson, who was yesterday indicted for the murder of a child at Louisville, and who has been in jail here to avoid mob violence, was taken to Calletburg today by a Sheriff and deputy.

TO CURE A COLD IN ONE DAY.

15th Avenue Broom Cleaning Tablets. All druggists refund the money if it fails to cure. Dr. W. Grove's signature is on each box. 25c.

Died.

CASSO.—In this city, January 25, 1901, Edward F. Casso, aged 2 months and 25 days.

REANER.—In this city, January 25, 1901, Mary J. Reaner, a native of Kentucky, aged 63 years 11 months and 5 days.

C. W. Kinsey, Dealer in New Style Household Furniture, Carpets, Ranges, Etc.

Modern furniture bought, exchanged or sold on installment payments. Cash discount 10 per cent from installment prices. 422-44 Third Street, Oakland.

Storage taken, rates reasonable. American Express and Storage Co. 534 Thirteenth street. Phone green 221.

JOSEPH TO WILHELMINA.

Associated Press Dispatches by The Tribune's Special Leased Wire. THE HAGUE, Jan. 29.—The Austrian Hungarian Minister here has presented to Queen Wilhelmina the Grand Cross of the Elizabeth order, accompanied by an autograph letter from Emperor Francis Joseph, soliciting Her Majesty on her approaching marriage.

BIG STRIKE IN PARIS.

Associated Press Dispatches by The Tribune's Special Leased Wire. PARIS, Jan. 29.—A general strike of the employees of the underground railways has been declared. The stations are occupied by troops. There is a general congestion of passenger traffic, especially among shoppers and people traveling to and from business.

SENATOR PERKINS HARD AT WORK.

The following letter has been received:

"United States Senate, Washington, D. C., Jan. 22, 1901.—Craigie, Sharp, Esq., Secretary Board of Trade, Oakland: My Dear Sharp—I am in receipt of your letter of the 15th inst. and thank you for the letter Taylor & Company, which you kindly forwarded. I am making every effort to secure an appropriation for the harbor work under continuing contract, and if only a small sum is given us this year, the work will go on and its completion will be assured. Yours very truly, GEO. C. PERKINS."

Wednesday Only!

Closing days of our Sale will be hummers. Here are samples of our money finding offers—

HATS
Regular \$7.00 and \$15.00 union-made hats, new styles; soft stuff—to draw you
\$1.05.

SOX
New arrivals, 25c values; silk embroidered hosiery; latest colors—for an advertisement
9c.

UNDERWEAR
Derby-rubbed, pink and blue; guaranteed, 50c value—to encourage you
28c.

UMBRELLAS
Regular 1.50 Umbrellas, steel rod, paragon frame, myriad of handles—because it is going to rain.
68c.

Let these hints lead you to our windows—your eyes will do the rest.

J. Cohn & Co.

TAILORS and GENTS' FURNISHERS
956-958
WASHINGTON STREET.
OAKLAND



As you grow older

Eye trouble increases and frequent change of glasses may be necessary. These must be accurately fitted so the sight will not be impaired. Tests are made here by a competent optician with scientific instruments, and our glasses fill all requirements.

E. H. NOE, Optician
449 SEVENTH ST. (Near Broadway Station)

Too Late for Classification

WANTED—Girl for general housework. Family of three; wages \$20. Apply 1104 Myrtle st.

YOUNG MAN, experienced grocery clerk, wishes a situation. Address Box 6, Tribune.

FURNISHED room with or without board at 75 Thirteenth st.

INDUSTRIAL Insurance agent wages \$2.50. Canning block, 3 to 5 p. m.

The Face House

THE H. C. CARPENTER CO.

Cor. Twelfth and Washington Streets, Oakland

Just a Few Leaves FROM A Forest of Good Values

Only a few days remain during which the January reductions prevail. It will pay you to buy goods at prices now asked even if you do not require them for immediate use.

Hercules Hose Strong as its name, made to wear as well as sell—great value. 15c

Sleeping Garments for children; shirt, pants and hose in one always necessary in this changeable climate, special at 38c

Silkoline Good variety of patterns 36 inches wide, 12 1/2c yard. Desirable lot of excellent art denim, 15c yard

"Capheat" Ask for free samples of three sizes of "Capheat" safety pins. These are the only safety pins made that not only do not, but CANNOT catch in the garment. The little cap is its secret of value. Three sizes, 5c dozen on card.

Leather—the strongest, most dignified appearing Suit Cases; brass trappings, various sizes. Prices 4.25, 4.90, 6.50 and up to 9.50—all good values.

New French Flannelettes in tans, blue, pink and red, all richly figured with French effects. 10 1/2c yd

Wrapper Materials To clean out balance of dark patterns, fleece back Wrapper goods, are marked 7 1/2c, were formerly 10c and 12 1/2c.

Reductions Lace Curtains are always marked by us at figures that permit of only the smallest margin of profit. During the remaining days of this sale even these prices are REDUCED 10 PER CENT on every pair of lace curtains in the house.

Arrival of Neck Ruffs The very latest ideas in ladies' black Neck Ruffs made of liberty silk are here; variety of original effects. Prices, 1.00, 1.50, 1.75, and up to 8.50. New effect in Chemise Ruffs, 5.50 to 8.50.

Spike-end Neckwear Another new demand of Queen Victoria's reign comes in several styles with Spiked ribbon ends, 50c and 65c.

FOR FULLY TWO MONTHS

—and perhaps three, warm clothes will be needed both night and day. The following lines are reduced to hurry their going, simply because we cannot wait till winter has past before we prepare for spring.

EVERY COMFORTER and pair of **BLANKETS** from \$1.50 up has been reduced 10 PER CENT.

WINTER WAISTS, fleece black flannelette; great values at 60c and 70c, formerly \$1.00.

CASHMERE WAISTS, neatly braided, regular \$4.00 values. 1.35

DRESSING SACQUES, made of flannelettes, polka dots. 50c

GOOSE FEATHER PILLOWS, specially good values from 2.25 to 4.50 pr

LIVELY SCENE IN HOUSE.

Lie Passed in Debate on the Indian Bill.

Associated Press Dispatches by The Tribune's Special Leased Wire. WASHINGTON, Jan. 29.—When the House met today Mr. Stephens of Texas arose to a question of privilege in connection with the exchange which took place between himself and Mr. Flynn, the delegate from Oklahoma, just prior to adjournment yesterday, when the direct lie was almost passed. Mr. Stephens read the language used by Mr. Flynn in which the latter charged that Mr. Stephens had surreptitiously inserted the bill to ratify the agreement with the Kiowa and Comanche Indians which became a law June 6, 1900, a clause giving white settlers the right to take up such of these Indian lands as contained minerals.

Mr. Stephens said it was unfortunate for Mr. Flynn that he himself had introduced a bill in January, 1900, which contained the identical language which he now charged was surreptitiously in the bill. He indignantly repelled the imputation to which Mr. Flynn had given utterance. Mr. Flynn arose and declared in even more specific language than he used yesterday that when the bill passed no one on the floor except Mr. Stephens knew the section was in the bill.

"Would you have allowed a section to go in," he asked, "which permitted whites to take without compensation lands which we were allotting to the Indians?"

"Did you introduce a bill containing similar language?" asked Mr. Stephens, who now confronted the Oklahoma delegate across the aisle. "I had sufficient confidence in the gentleman at that time," retorted Mr. Flynn.

"What led to the investigation which unearthed the facts," he continued, "was the moment the bill passed the gentleman from Texas telegraphed to his friends to go into the lands and state claims."

"Did you not telegraph your friends?" retorted Mr. Stephens.

"Yes," that the bill had passed, but I insist that the investigation developed the fact that the gentleman from Texas was the only member of either house who knew the mining clause was in the bill."

"That statement," cried Mr. Stephens, raising his arm threateningly, "is utterly unfounded, and I believe it is knowingly and maliciously made."

"That is strong language," retorted Mr. Flynn, who preserved his composure. "I request my information upon a visit to the reservation."

The members of the House at this point expressed a sensational explosion but the incident flattened out. Mr. Stephens called upon Mr. Curtis of Kansas to the Committee on Indian Affairs, and Mr. Little of Arkansas, who, he said, knew the section was in the bill, to bear testimony to that effect. Neither of the gentlemen appeared to move. After a pause the Speaker observed dryly: "The gentleman does not seem to be going."

This produced a burst of laughter, in the midst of which Mr. Little rose and said he supposed the House knew all about the section; he did, and was in favor of it.

"Did you know that it proposed to take the lands of Indians without compensation?" asked Mr. Flynn.

Mr. Little replied that he knew the section was in the bill. The incident was cut short at this point by the ruling of the Speaker that the matter was getting beyond the limits of the question of personal privilege. Thereupon Mr. Hull of Iowa called up the conference report upon the army reorganization bill and moved that the bill be sent back to conference. The parliamentary tangle resulting from the error discovered in the original conference report was made the occasion of some sarcastic comment by Mr. Richardson, the minority leader, but after a brief wrangle the motion to send the bill back to conference was agreed to.

The House then went into Committee of the Whole and took up the question of appropriation for the Agricultural Experiment Station.

Mr. Wadsworth, chairman of the Agricultural Committee, explained the several features of the measure, which carries \$1,377,220, being an increase of \$253,750 over the amount of the current law.

CHANGE IN WAR TAX.

Associated Press Dispatches by The Tribune's Special Leased Wire. WASHINGTON, Jan. 29.—The Senate Finance Committee today considered an amendment to the revenue reduction act, to provide for the removal of the tax upon transactions upon exchanges where transfers actually occur. This is done at the request of the Produce Exchanges dealing largely in farm products. It is expected that the amendment will be reported tomorrow.

La Grippe at Alvarado. Adelle M. Cox died at Alvarado yesterday of "grip" after five weeks' illness. She was a native of Missouri and 35 years old. Until recently she was a resident of Salem, Oregon, where her remains will be forwarded for interment.

MEAT QUOTATIONS. Beef and Pork Lower. Mutton and Veal Higher.

Porterhouse Steak 11c
Tenderloin Steak 11c
Loin Steak 11c
Ribs 11c
Prime Rib 11c
Beef to Boil 11c
Beef to Stew 11c
Corned Beef 11c
Shin 11c
Leg Mutton 11c
Shoulder Mutton 11c
Mutton Chops 11c
Pork Roast 11c
Pigs Head and Feet 11c
Veal 11c

FIRST-CLASS MEATS. VINCENT'S MARKET. Seventh and Washington Streets. Telephone Main 181.

UNION LABOR IS STILL OUT.

Lathers and Plumbers' Wages are in Dispute.

The twenty or more union men employed on the new Public Library building who were called off yesterday have not returned to work. The charge that Contractor Barrett is using mill work from Nichols & Co.'s will probably be investigated tonight at a meeting to be held in the Building Trades Council, Nichols & Co.'s mill is pronounced "unfair" by the union men, hence the action of yesterday by Business Agent Mullen, who called the men off the job.

Contractor Barrett has as yet taken no action, but it is understood that he will ask the Building Trades Council for an extension of time upon his contract. Business Agent Mullen today stated that there would be a matter relating to the lathing work of the new building which he could proceed with that part of his contract. According to Mullen, the contractor refused to pay Oakland lathers \$2 per thousand and let the lathing be done by a San Francisco subcontractor. The wage scale for lathing is less in San Francisco than in this county, and the local workmen claim that under the terms of his contract Mr. Barrett could not give the plumbers a preference. They also assert that he is not expecting to pay the Alameda scale of wages to the San Francisco lathers.

Another difference which is agitating labor circles in this city and San Francisco relates to the plumbers of the two cities. Here the scale provides a daily wage of \$1 for competent journeymen, while in San Francisco it is \$1.50. The plumbers' unions of the two cities attempted to fix up an arrangement whereby it was agreed that men should go from here to San Francisco to work for less than \$1 a day, and San Francisco plumbers brought here to work must demand the same figure. But trouble arose as the Building Trades Council of the two cities were not consulted as to the plumbers' agreement. Last night, however, a committee from the Alameda County Council went to San Francisco and secured the plumbers' agreement with a like committee from the San Francisco Council. They attempted to hear the complaints of individual plumbers and reports indicate that the trouble will be settled in a few days, as negotiations seem to be in the air.

There was a shaft six feet in height, composed of ferns, white pinks, white roses, carnations, hyacinths, maiden hair ferns, eupatorium and snail fern from B. L. E. No. 23, Oakland.

There was also an immense frame on an easel of similar composition of white roses, carnations, hyacinths, carnations, with an engine and a sheet of purple immortelles, on a stand of white flowers. This was seven feet in height and was the offering of B. L. E. No. 42.

Mount Shasta Division No. 212, B. L. E. sent a large floral scroll of hyacinths, white roses and carnations, with white roses and carnations, with the number of the division outlined in immortelles.

There was an immense broken wheel of snail fern, eupatorium, carnations, purple hyacinths, carnations, from B. L. E. No. 110 at Sacramento, in which the deceased had retained his membership up to the time of his death.

A beautiful floral scroll inscribed with the word "Father" was the tribute of the family of the deceased.

"The boys" of Dunsmuir sent a magnificent vacant chair in which the deceased was seated. The name of the deceased in purple flowers, "A. D. Kilbourn." This chair consisted of smilax, ferns, white and red roses, pinks, carnations, pink roses, narcissus and hyacinths.

The same devoted associates sent a floral arch of variegated flowers, five feet in height, from which was suspended a floral heart in white colors, the whole resting on a base with a bank inscribed "Rest."

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Beyond possible legislation on the hunt bill no important changes in the rules governing the game are anticipated.

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Hugh Duffey, the former Boston captain, has signed a formal contract to manage the Milwaukee American League team for the season.

TRIAL OF READE THE ELOPER CONTINUED. With the consent of District Attorney Allen, the trial of Charles E. Reade, the man accused by W. C. Allen of Canada of stealing Allen's wife, B. L. E. in a liberty case, and Mrs. Allen in a kidnapping case, continued in the Police Court until February 1st. Reade is the man accused by W. C. Allen of Canada of stealing Allen's wife, B. L. E. in a liberty case, and Mrs. Allen in a kidnapping case, continued in the Police Court until February 1st.

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FLORAL TRIBUTE FOR THE DEAD.

Funeral of A. D. Kilbourn Held This Afternoon.

The funeral of A. D. Kilbourn, late master mechanic of the Southern Pacific at Dunsmuir, was held this afternoon, the remains being interred in Mountain View Cemetery. It was conducted under the auspices of the Leland Stanford Division No. 283 of this city, though a large number of representatives of other kindred organizations were present, some of them coming many miles to attest their devotion to and love of the man who had passed away.

Among the strangers were delegations from Sacramento, Stockton, Dunsmuir and even distant Portland. For their accommodation, the railroad company placed at their disposal several cars which brought in the aggregate between 25 and 30 men, women and children.

The largest representation was that from Dunsmuir, whence all the railroad men and mechanics who could be temporarily spared came, accompanied by wives and children.

The remains were borne from the late home of the deceased, 1105 Campbell street, to the Union Street Presbyterian Church, which was thronged with people. The sorrowing brother railroad men of the deceased walked in solemn procession while carriages were provided for the women and children.

The funeral discourse was delivered by Rev. Mr. Potter, pastor of the church. It was a tender and eloquent eulogy of the deceased and a tribute to the calling of which he was an honorable member.

After the exercises the remains were borne to Mountain View Cemetery, where the funeral rites of the Brotherhood of Locomotive Engineers were conducted.

The floral display was as representative as was the attendance of sorrowing friends.

There was a shaft six feet in height, composed of ferns, white pinks, white roses, carnations, hyacinths, maiden hair ferns, eupatorium and snail fern from B. L. E. No. 23, Oakland.

There was also an immense frame on an easel of similar composition of white roses, carnations, hyacinths, carnations, with an engine and a sheet of purple immortelles, on a stand of white flowers. This was seven feet in height and was the offering of B. L. E. No. 42.

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Hugh Duffey, the former Boston captain, has signed a formal contract to manage the Milwaukee American League team for the season.

TRIAL OF READE THE ELOPER CONTINUED. With the consent of District Attorney Allen, the trial of Charles E. Reade, the man accused by W. C. Allen of Canada of stealing Allen's wife, B. L. E. in a liberty case, and Mrs. Allen in a kidnapping case, continued in the Police Court until February 1st. Reade is the man accused by W. C. Allen of Canada of stealing Allen's wife, B. L. E. in a liberty case, and Mrs. Allen in a kidnapping case, continued in the Police Court until February 1st.

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PAY WIDOW'S ALLOWANCE.

A petition has been filed for an order of court authorizing the payment of ten shares of the capital stock of the Farmers and Merchants Savings Bank, belonging to the estate of the late H. H. Fitcher. It is stated that it is absolutely necessary to disburse of the property in order to pay the widow's allowance.

Important to Ladies. Ladies' tailor made suits, storm skirts and gold suits. Exclusive goods and styles. Correct in every detail. Save money and the inconvenience of traveling to San Francisco by calling on J. Black, 239 Fourteenth street, near Washington. Phone Black 104.

Mogul paint for roofs, bridges, etc. It is absolutely acid proof, alkali proof and durable. For sale by Al Wood & Co., 244 Broadway.

FRIEDMAN'S FURNITURE. Parlor Entertainments are a feature of home life and Parlor Tables of our parlor furniture. Carved golden Flemish oak, inlaid mahogany a bird's eye maple in new shapes coming in all the time. This one of golden oak is of pleasing proportions, strong & well finished. 24 inch top, 18 inch hands. You'd like it \$1.45

Point de Calais Curtains. The holiday sales cut into our stock of them so that we have decided to cut the price to even it up—and to your advantage. Pairs that sold at \$10 for \$7; \$11 for \$7.50; \$12 for \$8; \$12.50 for \$8.50 and \$16.50 for \$10. Other kinds of Lace Curtains at even greater reductions. It will pay you to see them.

In writing to your friends. East, tell them you buy and lay Matting in January the same as in July. You can get Remnants of 25, 35 to 50 cent grades, in variety of pattern, pieces large enough for any one room, for 15 cts a yard. Bring your measurements.

Free Delivery in Oakland, Alameda, Berkeley. M. FRIEDMAN & CO. (Incorporated) 233-235-237 Post St. Phone Grant 13

Certificate of Co-partnership. This is to certify that we, W. P. Prindle and Richard J. Higgs, both residents of the City of Oakland, County of Alameda, State of California, constitute a partnership under the firm name of Prindle & Higgs for the purpose of transacting a general grocery business at 102 Washington street in said City of Oakland, or such other place or places as may be desired, and that the above names are the full names of all the members of said partnership and their residences.

RICHARD J. HIGGS, W. P. PRINDLE. Dated January 23, 1901.

GILPIN'S HOODOO IS DISCOVERED. Across San Pablo Avenue from the City Hall an enterprising shoe dealer has hung a big cloth sign on his store front with flaming letters in rainbow hues to catch the wayfarer's eye and draw attention to bargains. This sign was noticed this morning by City Treasurer Zach Gilpin, Licensee, Clerk Cole and others in the Treasurer's office and at once was clothed with significant meaning in view of recent local political events. The sign bears these words, which fretted the City Treasury officials:

* YES—THEY MUST GO—YES *
* YES—THEY WILL GO—YES *

"Wonder if that dod rattled shoe man is a Municipal Leaguer or a Straight Republican?" soliloquized Zach Gilpin, loud enough to be heard by his assistants.

They hurried to the window facing the shoe store. Deputy Cole turned pale.

License Inspector Henry Maloon, who Electrician Carleton dubs "The City Hall Phonograph," added to the discomfort by suggesting that the shoe dealer was a rabid Democrat.

"Ah," sighed Deputy Bortwe, "the Democratic Convention has not yet made nominations. Let us pray."

Then the office force silently framed a petition. The shoe man's sign was denounced as a "hoodoo" and the treasury officials will have it turned to the wall before the Democratic City Convention assemblies.

Notice to Public. I have no branch stores. My florist establishment is at 414 Fourteenth street, and Ben Block, now located at 420 Fourteenth street, who was formerly employed by me, is no longer in my service, and as at no time in partnership with me. E. Lacaze, Florist, nursery, Fruitvale.

Russian Field Marshal Dead. ST. PETERSBURG, Jan. 29.—Field Marshal Count Gorko died today on his estate at Charov, near Iver.

Police Court Orders. The battery charge against J. H. Smith, an engineer, by Mrs. Harris, was today stricken from the calendar.



A BAD CASE OF CRIP or when suffering from a heavy cold, usually gives way to the influence of good whiskey or brandy. For the sick there is nothing that will prove more beneficial where brandies or whiskeys are prescribed, or where occasion demands than our high-grade METROPOLIS Whiskey and our O. P. S. Cognac.

THEO. GIER Co VINEYARD, LIVERMORE Wholesale & Family Retail Dept. 511-13-15 Fourteenth St. T. L. 123 OAKLAND

Look it over with a

TAXPAYERS MAKE FIGHT FOR YUBA.

Johnson Starts Fight
Against Nickle-in-
Slot Machines.

SACRAMENTO, Jan. 29.—The first really live session of the legislative session took place yesterday afternoon at a meeting of the Finance Committee of the Senate. A bill providing for the reduction of the salaries of county officers of Yuba county, about one-third in amount, which was introduced by Yarrick by request, was under discussion and quite a large delegation from Marysville was present.

"Old Dan Ostrom" was in the party, and with him came J. M. C. Jasper and five or six other members of the Taxpayers League of that county. These gentlemen were the proponents of the measure.

They have been exceedingly enthusiastic in their efforts to have the salaries of officials cut down, and have been conducting their campaign on the plea that it was in the interest of the taxpayers. It appears that there are many such people in the county who take no stock in that sort of economy, believing that the salaries are reasonable, and that even a county official should be permitted to live. Consequently there were several representatives of this faction also in attendance at the meeting.

The Ostrom party represented about \$12,000 worth of property, and the other side wrote up to Marysville and got statements of persons owning in the aggregate \$3,000,000 worth of property. A petition protesting against the passage of the bill.

Senator Custer was one of the opponents of the measure and he was soon drawn into a violent altercation with Ostrom. After Foster of Marysville backed up Custer and added him very materially in attacking the assembly of his committee. Ostrom referred to Custer as a member of the "Court House ring," and said that he himself was a large taxpayer of the county. Custer retorted by saying that the tax roll showed that Ostrom had last year paid the magnificent sum of \$2.42 taxes. Ostrom said that the Taxpayers League was a very influential body, and that he had no need of either the Taxpayers League or the "Court House ring."

By this time the altercation had become so fierce that it was evident that no business could be transacted, and the committee adjourned. The matter has caused a great deal of bitterness throughout the county where the Taxpayers' League is fiercely denounced.

BARBERS' BILL.

The passage of the Barbers' Bill in the Assembly yesterday was something of a surprise. Assemblyman Schuchman, who had presented the bill, and who had through, helped it, was somewhat surprised by stating that it had the endorsement of all the labor people. That seemed to do the trick. It has been said heretofore that the bill was unconstitutional, and that that reason it would not be passed. But this consideration was lost sight of in view of the desires of the labor unions.

It is said that owing to the preparation and apprehension that barbers must have and the examination, they must undergo in order to practice the terrible profession a man must be in the State two or three years, and that was one of the points that was raised against the bill.

The bill to appropriate \$10,000 for the purchase of Agricultural Park was considered by the Committee on Agriculture yesterday afternoon, but no action was taken. George M. Elder, the representative of Adolph Spreckels, who is a member of the State Agricultural Directors, has been in the city a day or two, looking after this bit of legislation.

WAR ON MACHINES.

Grove L. Johnson has started a war on the nickel-in-the-slot machines. Yesterday he introduced a bill to make the owning of these machines a crime. The bill was an amendment to the Penal Code, which enumerates the games which shall be prohibited by law. The amendment consists in the insertion of the words "nickel-in-the-slot machines" in the list of the prohibited gambling games and devices. The nickel-in-the-slot machine is as much in use in Sacramento as it is in San Francisco and other large places throughout the State. The introduction of the bill is expected to bring to Sacramento the representatives of the cigar sellers and saloon men and will no doubt create quite an active lobby. The earnings of the machines for one year would amount to a year in an enormous sum and it would be well worth the while of those who live there in their place of business to expend a little money in the effort to prevent the passage of a law to put them out of service.

DEMOCRATS WILL MEET TOMORROW.

The Democratic City Central Committee will meet tomorrow evening and fix the date of the Democratic convention. This convention will probably be held on Saturday of this week.

SHALL THE STATE RULE THE CITY?

Assemblyman 'Savage
Strikes at the City
Judges.

SACRAMENTO, Jan. 29.—Assemblyman Savage, who yesterday introduced in the House a constitutional amendment preserving to the Legislature all the powers of the State and prohibiting their being delegated to municipal corporations, has prepared a brief setting forth the arguments in favor of his measure, and making pointed reference to usurpations of the powers of the State by city charters, notably the new charter of San Francisco.

He bases the amendment on the ground that it is necessary, etc., to the safety and welfare of the people of the State that in certain matters its sovereignty should not be surrendered to a minor part of the State. Under the head of Administration of Justice, Mr. Savage says that this is so essentially a function of the State that it needs no argument to show that it should be defined as a State affair.

"Yet as it now is we have seen the Police Judges of San Francisco called into consultation with the Mayor and the police authorities to arrange a plan whereby it was proposed that gambling dens in Chinatown in that city were to have political immunity from the laws upon payment of a large sum of money to the city under the evasion of forfeiture of cash bail periodically deposited. Of course, this plan cannot be carried out without an understanding with the local judges that they will aid and abet the crime, and such evasion of the law."

"This perversion of justice may be adopted by any city which desires to revenue by what amounts to licensing crime. The way to defeat it is to define the administration of justice as a State affair."

Discussing the protection of health and the regulation of commerce, Mr. Savage says: "It is perfectly apparent from many demonstrations, but especially from the recent conduct of the Board of Health in San Francisco in relation to the bubonic plague quarantine that neither the health of the whole people of the State, nor the power to place an embargo upon commerce at will can be safely left exclusively to a mere city board. Yet such is the present state of the constitution that if any matter may be a municipal affair the State is excluded from all power or sovereignty over the subject in any given city. If the city board is not efficient the whole people of the State may become infected with the disease through the negligence or incapacity of the local board. This proves that the protection of health is a power which the State cannot afford to part with. As it is now the city board can prohibit all crops or goods from shipment in or out of the city, and wholly suspend commerce without any power in the State to supervise the matter."

"It is dangerous to leave the legislative power thus crippled, and the constitution cannot be amended too soon."

Mr. Savage says that to maintain and execute measures to suppress crime and vice should be defined as a State affair, under the sovereign power to protect morals. "This matter cannot be safely left to local authorities to defy any sentiment of the people of the State. The attempt in San Francisco to license Chinese vice for money is a sufficient evidence of this. The matter is one which the sovereign State must not be excluded dealing with, and which never it shall be apparent that the State power should assert itself. The adoption of this amendment does not interfere with proper local self-government. It does not strike anything out of any charter, but it defines certain matters as being State affairs, in such manner that the Legislature shall not be deprived of power to grant protection and security in these cases. It will then be in the power of the State to provide how such protection shall be given if local abuses call for such action. The discretion as to the exercise of a State power must be reposed somewhere, and the Legislature is the only proper place."

"Finally, this is but a proposed constitutional amendment. It must be submitted to the people. Experience has demonstrated that grave dangers have arisen and may arise from the State's being divested of necessary sovereignty, and it remains for the people to say by their ballots whether this amendment shall be adopted. As no exercise of any power as now being exercised by any city authority is affected in the meantime, or can be unless the people of the State shall adopt the amendment, it is not conceivable how any one can have any fair objection to submitting the amendment to the people."

Count Tolstol III.

ST. PETERSBURG, Jan. 29.—Count Tolstol is again seriously ill.

TAMMANY MEN TO BE INDICTED.

Associated Press Dispatch to The Tribune. NEW YORK, Jan. 29.—No evidence against police captains by the Tammany committee of five will be given to the January Grand Jury by District Attorney Philbin. The Grand Jury will end its sittings Thursday and the February Grand Jury will not be sworn in until Monday, the 4th. The committee of five evidence will not be placed before the present Grand Jury. It is the public prosecutor's intention to have the evidence in such shape and so surely in conformity with the statutes bearing upon it that the Grand Jury will be able to dispose of it in a few hours, with the result that those persons mentioned in the evidence will be indicted.

COSTA RICA STOPS USURY.

Associated Press Dispatch to The Tribune. NEW YORK, Jan. 29.—The Herald's correspondent in San Jose, Costa Rica, reports that President Iglesias has been seriously ill—but is now improving. The government has decreed the establishment of a banking and loan institution which will be obliged to limit its interest charges to 2 per cent a month. This measure is taken to stop the usurious rates of 10 per cent a month which many borrowers have been compelled to pay.

STATE AGENTS WANTED.

Senator Nelson Would
Cut Down Claims
of Sheriffs.

SACRAMENTO, Jan. 29.—A bill has been introduced by Senator Nelson to reduce the expenses to the State of the transportation of convicted felons and other persons committed to hospitals and other public institutions, and to amend in that behalf the act approved March 15, 1885.

The chief feature in which the former act is changed and the one which will be of very great interest to every Sheriff in the State is the section which provides to take the delivery of such persons out of the hands of Sheriffs and put them into the hands of State agents.

The new bill, which is in five sections, provides that the act described above shall be so amended as to read as follows: Except as in section 3 hereof hereinafter provided there shall be allowed by the State Board of Examiners to the Sheriff, to be retained by him for his own use, for delivering of a prisoner by him to either of the State prisons, actual expenses and \$5 per diem for the time necessarily consumed in delivering such prisoner.

And there shall be allowed by the State Board of Examiners to the Sheriff, to be retained by him for his own use, for delivering an insane person to either of the insane asylums, his actual expenses and the same per diem as allowed in the case of prisoners. Section 3, however, provides that in all cities or counties having over 200,000 population the duty of transporting convicted felons, insane persons and persons committed to the various other public institutions, shall be performed by State officers to be known as "State agents."

The Governor shall appoint as many of these agents as may in his judgment be required to perform the duties heretofore incumbent upon the Sheriff of cities or counties and cities in the matter of such transportation. Such "State agents" shall receive in full for their services the sum of \$125 per month each, payable out of the general fund of the State. The cost of all transportation and the actual expense incurred by the agents in such transportation shall be paid out of the general fund of the State, after examination and allowance by the Board of Examiners. The act is to take effect immediately, according to its provisions.

Another act presented by Senator Nelson adds a new section to the penal code relating to the discharge of coal tar or any of its product into any of the navigable waters of the State. It is provided that every firm, association or corporation which shall discharge or deposit, or shall cause or suffer to be discharged or deposited, or to pass in or into the waters of any navigable bay or river in this State any coal tar, or refuse or residuary product of coal, petroleum, asphalt, bitumen or other carbonaceous material or substance, is guilty of a misdemeanor, and for each offense is punishable by imprisonment in the County Jail for not exceeding one year, or by a fine not exceeding \$1,000, or by both fine and imprisonment.

LADIES AT THE Y. M. C. A. MEETING.

William Messer, general secretary of the Y. M. C. A. in China, delivered an address before the Ladies' Auxiliary of the local Y. M. C. A. last night. There was quite a large attendance of ladies and a great deal of interest in the address was displayed by them. After the address the officers of the Ladies' Auxiliary for the ensuing year were elected as follows: President, Mrs. J. L. Lyons; vice-president, Mrs. E. Gibson; secretary, Miss Lawson; treasurer, Miss Kennison.

Mr. Messer is well pleased with his visit to this city. He says that in the seven years which have elapsed since he was here before, Oakland has put on the airs and graces of a metropolis.

Newspaper Burned Out.

Associated Press Dispatches by The Tribune's Special Leased Wire. INDIANAPOLIS, Jan. 29.—The plant of the Indianapolis Sun, an evening paper, in East Ohio street, was gutted by fire today. The loss is \$30,000; insurance, \$15,000.

Eastern Temperatures.

Associated Press Dispatches by The Tribune's Special Leased Wire. CHICAGO, Jan. 29.—Temperatures at 7 A. M.: New York, 24; Boston, 20; Philadelphia, 26; Washington, 24; Chicago, 16; Minneapolis, 14; Cincinnati, 20; St. Louis, 22.

READY TO ASK THE QUESTIONS

Paris Committee Will
Handle Its Own
Business.

SACRAMENTO, Jan. 29.—The Committee on Public Expenditures and Commissions yesterday took a precaution against having the management of the investigation taken out of its hands by enthusiastic partisans.

At a meeting at which the Paris Committee was discussed at considerable length the fear was expressed that if the committee should permit outsiders to take part in the examination of witnesses the course of affairs would be interfered with and the real objects and purposes of the investigation be defeated. Therefore the following resolution was adopted: "That this committee will permit no questions asked of the witnesses except by the chairman or one of the members of the committee, and if any one else desires a question asked of a witness then the same may be submitted in writing to any member of the committee, who may propound the same if he so desire."

Chairman Bliss reported that he had subpoenaed Commissioners Foster and Runyon, Secretary Gaskill and Mr. Emery. He said that these gentlemen had told him that they were ready and willing to come to Sacramento and that the Commissioners and Secretary had declined to appear. Mr. Emery, however, had been subpoenaed and had appeared. Mr. Emery, who has returned from the South, reported that he had subpoenaed Bob Flinn, the son of Judge Erskine Rice, and that he would be here today. Melick said he did not subpoenaed Lynch, the writer for the Western Graphic, and a conversation he had with Mr. Flinn, one of the proprietors of that paper, convinced him that Mr. Lynch knew nothing of his own knowledge.

Lynch, he said, had a list of questions based on information that he had received by letter from Commissioner Truman, but that he did not deem disposed, according to Bliss's statement, to let the committee know what they were at this time.

If subpoenaed Mr. Lynch would come to Sacramento and submit his questions, but as it was evidence and not questions of which the committee was in search, Melick said he did not feel justified in the State of California to permit an investigation of the Sheriff's office, and if, at any time the committee deems it advisable the Sheriff can be notified by telegraph and the subpoena served. The attitude of the Los Angeles man is looked upon as being rather in the nature of a back door. The Western Graphic has been crying for an investigation and declaring that if one should be ordered it would produce the proofs of the assertion against the Commissioner and Secretary Gaskill.

Now when it comes to the time for action the committee asks for the evidence it submits only a list of questions with which to quiz the Commissioners. This continued absence of Commissioner Truman is also a matter of considerable disappointment. In fact, members of the committee view it with evident disgust, as they regard Mr. Truman as the instigator of the whole investigation.

Chairman Bliss, when asked if he had written or in any way communicated with Mr. Truman, said that he had not. It is evident that he does not intend to do so. He declared that Truman ought to be here, and that he would be if he had ever had the slightest intention of appearing before the legislative investigation for which he has been claiming at a distance of 5,000 miles.

**OAKLAND LODGE NO. 123
FRATERNAL BROTHERHOOD.**

The phenomenal success of this lodge is unprecedented in the annals of fraternal insurance orders.

It is but nine months since it was organized and now has 510 members in good standing and over \$700 in its treasury.

Social and entertainment features are made prominent, and it is claimed that the percentage of attendance is double that of any lodge in the city. At its regular meeting last Friday evening at Woodmen Hall there were 400 present. The Fraternal Brotherhood is equally popular throughout the State and during 1900 the increase of membership was 150 per cent. This is a greater increase than made by any other order doing business in the State.

The death rate during 1900 was less than three per 1,000 members, which is about one-half that of other orders. Every death or accident claim is paid as soon as the proofs are filed and this tends to make the order popular.

The officers and organizers expect the membership will be doubled during 1901.

Oakland Lodge No. 123 is without doubt the banner lodge of the order as to numbers and personnel, as well as financially, although but a "baby" in age. There are but six lodges among all the fraternal orders in the State of California with a greater membership.

The present officers are: H. A. Lutterell, president; Mrs. H. Hornick, vice-president; R. B. S. York, secretary; Phil M. Walsh, past president; William B. Greenbaum, treasurer; Mrs. Annie Gillespie, chaplain; James Taylor, lodge deputy; Hiram A. Butler, mistress-at-arms; Charles B. Pritchard, sergeant; Mrs. K. Gumm, inside doorkeeper; Chas. G. Reed and Charles B. Keener, Charles G. Reed and Charles B. Keener, trustees.

Organizers who have done much to build up the lodge under the supervision of Supreme Attorney C. W. Stone are H. C. Lewis, T. H. Riley, J. D. H. Grovel, Miss Alice M. Parker, Mrs. D. L. Wolcott, Mrs. M. W. Richards and Mrs. Treacott.

Formed Partnership.

W. P. Pringle and Richard Higgs have filed a certificate of partnership to do business under the firm name of Pringle & Higgs.

THIRTY YEARS AT HARD LABOR.

Mill Girl's Assailants
Given the Extreme
Penalty.

Associated Press Dispatches by The Tribune's Special Leased Wire. PATERSON, N. J., Jan. 29.—Walter C. McAllister, William A. Diath and Andrew J. Campbell, who were found guilty of murder in the second degree for the killing of Jennie Boascheiter, on October 15, 1900, by the administration of chloral and subsequent assault, together with George J. Kerr, who pleaded non-vult contemner to a charge of assault, were brought into Court of Oyer and Terminer here today for sentence by Judge Dixon.

McAllister, Campbell and Kerr were each sentenced to thirty years' imprisonment at hard labor, and Kerr to fifteen years' imprisonment at hard labor. The sentences are the full terms of imprisonment which the law provides.

The court room was crowded to its utmost capacity. The corridors of the court house were also filled with people and on the sidewalk crowds were assembled. In the court room the father, stepmother and sister of Jennie Boascheiter had been given seats where they could have a good view of all that transpired. A few minutes after court had been opened, McAllister, Campbell and Kerr were brought in by deputy sheriffs.

The proceedings began with a plea by Michael Dunn, one of the attorneys for the convicted men, for clemency for his clients. He urged that in the cases of Death and Campbell the question of their reformation was worthy of consideration by the court. He presented a petition signed by many citizens asked for clemency for Campbell, who has been known for many years by the petitioners as an industrious, temperate and of good character.

Former Judge Scott addressed the court in McAllister's behalf, urging previous good character and high family connections. McAllister, Campbell and Kerr were then told to stand up. McAllister and Campbell looked extremely pale, and Kerr had the appearance of suffering greatly under the strain.

Judge Dixon, addressing the three prisoners, said: "You stand convicted of murder in the second degree. Had you been found guilty of murder in the first degree, the punishment would have been death. In the absence of the jury in the exercise of their lawful authority saved you from the gallows. We must administer laws as they are. It is true these sentences will destroy your lives, obliterating every prospect of an honorable existence among the people. The court cannot make any distinction but must sentence you for this crime. I trust the fearful consequences of this crime will help young men and young women of this community and point out to them that they cannot hope to secure happiness outside of virtue and honor. The sentence of the court is that each of you be imprisoned in the State Prison at Trenton at hard labor for a term of thirty years."

**LEFT MANY HEIRS
IN FAR AWAY FINLAND.**

Special letters of administration on the estate of the late Charles Edward Boman have been granted to Olga Carloline Boman, a sister of deceased. Upon qualifying she will be required to furnish a bond for \$25,000, the estimated value of the personal property of the estate. There is also a large amount of realty which will bring the value of the estate up to \$70,000.

Boman died in this city January 24th and the petition states that so far as search has been made no will has been found. Decedent was not married and was one of the heirs of his estate are residents of Finland. They are as follows:

The petitioner, Olga Boman, of Oakland; Anna Boman and Selma Boman of Helsingfors, Finland, sisters of deceased; Carl and Olga Kokkonen, sons of a deceased sister of deceased, residence unknown; Selma Kokkonen, a deceased sister of deceased, residing at Helsingfors; Wendla Gronroos, daughter of a deceased sister of deceased, residence unknown; two children of Olaf Boman, a deceased brother of deceased, residences unknown, and Nikolai Boman, decedent's brother, residing at Abo, Finland.

**THEY CONTEST A
LIVERMORE ESTATE.**

A contest of the \$10,000 estate of Margaret O'Brien, who died in Livermore January 23, has been filed by John Duffy, Winnifred Duffy, Catherine Sweeney, Mary McQuaid, David Charles Perry, Winnifred Perry, Bridget Kerlan and Michael Duffy, residents of Ireland, and who claim to be the heirs at law of the testator. They attack the will on all the statutory grounds, claiming that Mrs. O'Brien did not sign it and that she was not in her right mind when it was made.

The legacies under the will are: Patrick Powers, Miss Winnifred Gallagher, Daniel J. Murphy, Alfred Hennessey, Mary Murphy and Mary Ann Kelly, all residents of Livermore.

**ALLEGED BAY PIRATE
IS AGAIN IN COURT.**

The second trial of Robert Melville, known as the bay pirate, on a charge of burglary was commenced this morning before Judge Greene. It is claimed that Melville broke into the store of one of Cotton Berra, a store and stole two articles. He was convicted at a former hearing, but was granted a new trial on the claim that the evidence did not warrant the verdict of the jury.

A FEW POINTERS.

The recent statistics of the number of deaths show that the large majority die from consumption. This disease may be cured with an apparently harmless cough, which can be cured instantly by Kemp's Balsam for the Throat and Lungs, which is guaranteed to cure and restore all cases. Price 25 cents. Sold by all druggists.

DISASTROUS FIRE IN DES MOINES.

Loss Amounts to Over
Half a Million
Dollars.

Associated Press Dispatches by The Tribune's Special Leased Wire. DES MOINES, Ia., Jan. 29.—Fire which broke out this morning in Frankel Brothers' Department store, corner of Sixth and Walnut streets, destroyed over a half million dollars' worth of property. The store was first discovered by a patrolman at 2:30 a. m. in a corner of the clothing department, coming direct from the basement. In a moment the whole building was in flames. Every available fireman in the city was ordered out, but the structure was doomed before they arrived and their attention was largely devoted to saving the adjoining structures. By 6 o'clock a solitary ray of the store's fire was left standing, and the firemen pulled it down. Not a dollar of the \$500,000 stock was saved, and the destruction was complete.

The First National Bank building, which is directly across the street, caught fire, but after a hard struggle, was saved, although damaged to the extent of several thousand dollars. The Western Clothing Company and the Zeely department store on the adjoining corners suffered severely in damage to stock and fixtures. The Frankel store was ready that they will rebuild.

The destruction of the electric, telephone and telegraph wires as a consequence of the fire caused a temporary abandonment of the street car service and the operation of many factories dependent upon power furnished there.

The heaviest losses are: Frankel Brothers, \$500,000; Yonkers Brothers, \$125,000; A. & I. Fredrick, stock, \$15,000; Ullrich Building Company, \$10,000; C. H. Seely, \$10,000; Des Moines National Bank, \$5,000; Marx building, \$3,000; Seely building, \$2,000; C. W. Bock Company, \$1,000; Iowa Telephone Company, \$500; Des Moines City Railway Company, \$200; Losses to occupants of office rooms, \$5,000.

The insurance will cover the loss. A detailed account of the loss by the first place retail store of property at \$500,000 with \$500,000 insurance. Frankel's estimate their loss at \$500,000, covered by \$500,000 insurance.

**ATTACK THE STATE
EIGHT HOUR LAW.**

The suit of John Worthington against City Auditor Bredt to test the constitutionality of the eight-hour law was argued before Judge Hall yesterday afternoon and taken under advisement. The judge stated that owing to the far-reaching significance of the suit he would not render a decision until he has given the authorities a thorough examination.

The Auditor relies upon the State law to justify his action in refusing to pass Worthington's claim, alleging that the contractor compelled his men to work more than eight hours a day. Worthington claims that as the City Charter has no eight-hour provision the Auditor has no authority to fall back on the State law, which, he asserts, apply only to State contracts.

Fred L. Burton, Worthington's attorney, in his opening argument attacked the validity of the State eight-hour law, under which the labor unions protested the payment of Worthington's claim on the city treasury. The unions, which are making the defense, although the suit is nominally against the city, retained Attorney J. E. McElroy to conduct their case, with State Commissioner of Labor F. V. Meyers as associate counsel.

Meyers and McElroy directed their arguments to the constitutionality of the eight-hour law and its application to the present instance.

**JURY TRIALS FOR
SEVENTEEN MEN.**

The seventeen cigar dealers arrested yesterday afternoon for alleged violation of the statute prohibiting banking games have been granted until February 4 to plead in the Police Court. Snook & Church have been employed to defend sixteen of the accused, while S. Jordan, the other defendant, is represented by Hiram Luttrell. It is understood that such cigar dealers will plead "guilty" and demand a separate trial by jury.

"Yes, if any of the arrested men have removed the nickel-in-the-slot machines from their counters. They are said to rely for defense on the offer posted on the machines to give full value to customers for each nickel played into the machine."

**CITY COUNCIL WILL
MEET THIS EVENING.**

Owing to the absence of a quorum the City Council did not meet last evening, and the adjourned session was postponed until tonight. The principal matter to come up is the consideration of the Washington street opening. The interested property owners and merchants with their attorneys were present last evening and were notified to be on hand again tonight.

**A. COYLE MADE
A GOOD RECORD.**

Rev. Robert Coyle, formerly of this city, has made a remarkable record at his new pastorate in Denver, Colorado. When he took charge of the First Presbyterian Church there a week ago Sunday a debt of \$65,000 hung over the property. At the close of his first services the burden had been reduced to \$25,000. By his appeal from the pulpit Dr. Coyle had raised \$12,000 in money and checks.

**NICKEL-IN-SLOT MEN
HAVE ORGANIZED.**

The nickel-in-the-slot machine men held a meeting at Frank Perera's place, Eighth and Washington streets, last night and organized to fight the case in the Police Court.

CANDIDATES' ANNOUNCEMENTS.

FOR LIBRARY TRUSTEE
W. W. KNICKERBOCKER
REGULAR REPUBLICAN NOMINEE
FOR CITY AUDITOR
A. H. BREED
(Present Incumbent)
REGULAR MUNICIPAL LEAGUE NOMINEE
FOR COUNCILMAN-AT-LARGE
E. R. ALLEN
REGULAR REPUBLICAN NOMINEE

REVOLUTION IN REDUCING ORES.

A Wonderful Smelter
in Operation at
Melrose.

There is now in operation at the old Melrose Smelting Works at Fruitvale a new invention for the reduction of ores, which promises to revolutionize all former methods of reducing gold, silver and copper from the base in which they occur, by the smelting process.

This smelter was patented in August last year, and a test furnace has been erected and put in operation at Melrose for the purpose of testing its working capacity. It has been inspected for the last three or four weeks by hundreds of miners from all over the coast, and the universal decision of every man who has inspected its work is that the furnace stands without a competitor in the mining field, and will in the near future be utilized by all persons who are smelting ores, on account of its simplicity and cheapness.

It is essentially a poor man's furnace and can be erected and operated with very little expense. The cost of reduction by this method is less than 50 per cent of the cost of any furnace now in use.

THE TRIBUNE, upon learning of the test being made, sent its reporter to the works to make a personal inspection of its merits, so that its readers might be informed whether the pretensions of the owners were true or false, as it has no personal interest in the matter beyond serving the public. After a thorough inspection, and consultation with mining men from various parts of the Coast, it is thoroughly convinced that the new method is a success, and fully accomplishes everything claimed by its owners.

The president of the company, Mr. T. W. Page, nephew of the late ex-Congressman from this District, is highly elated over the success of his venture in the ore reduction business and our fellow townsman Gen. W. Baker, Esq., who is vice-president of the company, is also keyed up to it, and over the prospective fortune which the patent is sure to bring to its owners.

The furnace is open to inspection by the public every day except Sunday, at Melrose, and all persons interested may examine it for themselves.

**ASTOR'S DAUGHTER
MAY WED A DUKE.**

Associated Press Dispatches by The Tribune's Special Leased Wire. LONDON, Jan. 29.—No confirmation can be obtained here of the report of the engagement of Miss Pauline Astor, daughter of William Waldorf Astor, to the Duke of Roxburghe, which has been rumored here for some time past. Both sides have refused to discuss the matter.

**RETAIL CLERKS
HAVE A SMOKER.**

At the smoker of the Retail Clerks' Union last night there was a large attendance of young members of the union, as also of several other labor organizations in this city. The new officers were installed, and addresses of a congratulatory character were made by members and others. The union is daily increasing in membership. President Rebell and Treasurer Stothchild were presented with buttons of the club in recognition of their services in forming the organization.

**Large Price Paid for Valuable Oil
Land.**

Supervisor Mitchell, in conjunction with several leading business men of Oakland, has purchased twenty acres of oil land at Bakerfield. The land is considered to be the cream of that district, the property containing five producing wells. The wells average 100 barrels each. One of the wells produces 180 barrels daily. The price paid for the property was \$125,000, including all machinery connected with putting down new wells. A company is now being formed to work this property. They will put down ten or fifteen more wells. The new branch line of the Southern Pacific will go through this property. This company will go immediately to work to pay dividends and put the proposition on a paying basis.

100 CARPET SAMPLES—One 3xrd square, 12x upwards; 50 yards new, carpet one yard wide; bargain this week at H. Schellhaus, 405 Eleventh st.

FOR RENT—Dishes for weddings or parties at H. Schellhaus, 405 Eleventh st.

The PIONEER FRENCH BAKERY
M. J. LONGE, Proprietor.
N. E. cor. Tenth and Webster St.
Telephone White 532, O. Mind.
First quality French bread delivered to all parts of Oakland, Berkeley and Alameda. Leaves made to order for camping parties. French rolls made to order.

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